

## **REMARKS**

This is a full and timely response to the Advisory Action mailed March 14, 2005. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Claim Rejections - 35 U.S.C. § 102(a)**

Claims 18-21 and 28-31 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Hanson (U.S. Pat. No. 6,148,346). Applicant notes that claims 19 and 28-31 have been canceled through this Response. Applicant respectfully traverses of this rejection as to claims 18, 20, and 21.

In the Advisory Action, the Examiner states that Applicant's recitations in the preambles of Applicant's claims have not been accorded any patentable weight because the body of the claims do not depend on the preamble for completeness. As is indicated above, each of Applicant's independent claims now depends upon the preamble for completeness. As such, Applicant submits that the explicit limitations of the preambles must be considered.

As was noted in Applicant's previous Response, the arguments of which are hereby incorporated into the present Response, Hanson at least fails to teach presentation of markup language menus on a screen of a dedicated purpose device. Hanson therefore does not anticipate Applicant's claims 18 and 20-21.

### **II. Claim Rejections - 35 U.S.C. § 103(a)**

Claims 1-17, 22-24, and 32-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson in view of Canon NP-6551 ("Canon," <http://www.petter-business.com/NP6551.html>). Applicant maintains the traversal of this rejection.

In the Advisory Action, the Examiner first argues that the explicit limitations contained in Applicant's claim preambles do not have to be given patentable weight in determining the patentability of Applicant's claims, and second argues that, irrespective of those limitations, it would have been obvious to implement markup language documents on a dedicated purpose device.

As to the Examiner's first argument, the limitations of Applicant's preambles are required for completeness of Applicant's claims, as mentioned above. Accordingly, the express limitations of the preambles must be considered in determining the patentability of Applicant's claims. As to the Examiner's second argument, Applicant respectfully reminds the Examiner that obviousness must be adjudged in view of the prior art and what it teaches. As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office ("USPTO") has the burden under section 103 to establish a *prima facie* case of obviousness by showing some objective teaching in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. *See In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed

combination and reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure. (emphasis added)

As is described in Applicant's previous Response, Hanson discloses a system for dynamically connecting peripheral devices to a *host computer*. Specifically, Hanson discloses a dynamic device driver that uses an object-oriented language to provide for dynamic connection of peripheral devices. Hanson, column 3, lines 37-41. With the dynamic device driver, the computer's operating system can communicate with peripherals that are connected locally or remotely. Hanson, column 4, lines 13-15.

In operation, a user selects an identified peripheral device from a menu in a given program executing on the computer, such as Microsoft Word<sup>TM</sup>. Hanson, column 8, lines 11-13. The user can then, for example, choose to change a setting of the identified peripheral. Hanson, column 8, lines 16-19. In such a case, the operating system on the computer "generates a display of the GUI objects and the peripheral specific data objects *on display device 15 of the host computer system 10*." Hanson, column 8, lines 24-27 (emphasis added). The user can then change the settings through selection of various graphically displayed peripheral specific data objects options within the GUI objects. Hanson, column 8, lines 30-32. In this manner, the settings of the peripheral device can be changed.

Significantly, Hanson is silent as to presenting menus or other GUIs on a display of a dedicated purpose device. Therefore, nothing in the Hanson reference would suggest displaying markup language menus on a dedicated purpose device. Moreover, as was noted in the previous Response, the Canon reference, which comprises a mere two paragraphs, says nothing about what information is displayed in the printer LCD. Therefore, the Canon reference likewise provides no suggestion to display markup

language menus on a dedicated purpose device. Claims 1-17, 22-24, and 32-35 are allowable over Hanson and the Canon reference for at least these reasons.

Claims 25-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson, Canon, and Teng, et al. (“Teng,” U.S. Pat. No. 6,327,045). Applicant maintains the traversal of this rejection.

As is identified above in reference to independent claim 22, both the Hanson and the Canon references fail to teach explicit features of Applicant’s claimed invention. In that Teng does not remedy the deficiencies of the Hanson and Canon references, Applicant respectfully submits that claims 25-27, which depend from claim 22, are allowable over the Hanson/Canon/Teng combination for at least the same reasons that claim 22 is allowable over Hanson/Canon.

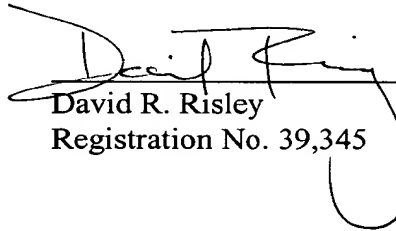
### **III. Canceled Claims**

As identified above, claims 19 and 28-31 have been canceled from the application through this Response without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

### CONCLUSION

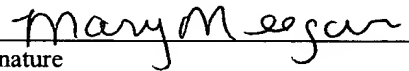
Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
David R. Risley  
Registration No. 39,345

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

4-14-05

  
Signature